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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,546	11/27/2001	Masahiro Ozaki	AND-015-USAP	8416

7590 12/18/2003
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EXAMINER

DICUS, TAMRA

ART UNIT PAPER NUMBER

1774

DATE MAILED: 12/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,546

Applicant(s)

OZAKI, MASAHIRO

Examiner

Tamra L. Dicus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

All rejections are withdrawn. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2840918 to Yugen et al. (English translation) in view of JP 05-177996 to Kazuo (computer translation) and further in view of USPN 5,413,815 to Williams et al.

3. Yugen teaches a transfer sheet. Yugen provides the same structure of instant claims 1-6, but does not include hair-transplanted fibers or the acrylic ester binder or solvent. See Yugen patented claims 1-3 and Figures 1-4. Kazuo discloses a heat-transfer sheet. The sheet of Kazuo comprises short fibers 3 bonded to glue layer 5 to form a pattern. The sheet is exposed to hot-printing, which the Examiner takes the position is a functional equivalent of electrophotography. See [0031]-[0038]. Within [0035], Kazuo provides motivation for using hair-transplanted fibers which is to imprint a three-dimensional and aesthetic pattern. It would have been obvious to one of ordinary skill in the art to modify the transfer sheet of Yugen to include the hair-transplanted fibers of Kazuo in order to provide a three-dimensional and aesthetic pattern to a printed image.

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4. While Yugen provides a parting agent, Yugen does not teach it is an acrylic solvent parting agent. Williams teaches an aqueous release coating composition for pressure-sensitive adhesives. Williams provides an aqueous coating layer of aqueous acrylic adhesives at col. 3, lines 10-15 for pressure sensitive adhesives and a latex of monomers of acrylic ester which provides binding functionality at col. 3, lines 35-45. It would have been obvious to one of ordinary skill in the art to modify to include an acrylic solvent and ester because Williams provides the use of such compounds for releasing properties and as binders, wetting agents, foaming, and such at col. 3, lines 10-45 and col. 4, lines 50-60.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2840918 to Yugen et al. (English translation) in view of JP 03-106396 and further in view of USPN 5,413,815 to Williams et al.

6. Yugen teaches a transfer sheet. Yugen provides the same structure of instant claims 1-6, but does not include hair-transplanted fibers or the acrylic ester binder or solvent. See Yugen patented claims 1-3 and Figures 1-4. '396 as disclosed by Applicant at page 3, lines 2-7, provides a thermal transfer comprising hair-like fibers are used in transfer mediums in order to fix a design layer. It would have been obvious to one of ordinary skill in the art to modify the transfer sheet of Yugen to include the hair-transplanted fibers of '396 in order to fix a design to a hair-like transfer.

7. While Kazuo provides a parting agent, Kazuo does not teach it is an acrylic solvent parting agent. Williams teaches an aqueous release coating composition for pressure-sensitive adhesives. Williams provides an aqueous coating layer of aqueous acrylic adhesives at col. 3, lines 10-15 for pressure sensitive adhesives and a latex of monomers of acrylic ester which

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provides binding functionality at col. 3, lines 35-45. It would have been obvious to one of ordinary skill in the art to modify to include an acrylic solvent and ester because Williams provides the use of such compounds for releasing properties and as binders, wetting agents, foaming, and such at col. 3, lines 10-45 and col. 4, lines 50-60.

Conclusion

JP '396 will be translated in full and disclosed in the next Office Action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamra L. Dicus whose telephone number is (703) 305-3809. The examiner can normally be reached on Monday-Friday, 7:00-4:30 p.m., alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on (703) 308-0449. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-8329.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Tamra L. Dicus
Examiner
Art Unit 1774

December 11, 2003

RECEIVED
DEC 11 2003
Cynthia Kelly